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Message Text

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S E C R E T STATE 212137

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FOLLOWING REPEAT STATE 212137 ACTION SECRETARY 6 SEPT
REPEATED PANAMA 06 SEPT

QUOTE

S E C R E T STATE 212137 TOSEC 110015

STADIS
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E.O: 11652: GS

TAGS: PFOR: PN
SUBJ: BRIEFING MEMORANDUM: PANAMA-PUBLIC REVELATION OF
US-PANAMANIAN CONCEPTUAL AGREEMENTS

TO THE SECRETARY FROM ROGERS

1. UMMARY. THE PANAMANIAN STUDENTS' DISCLOSURE OF THREE
CONCEPTUAL ACCORDS HURTS PANAMA MORE THAN US. TORRIJOS
MAY FACE CONSIDERABLE DIFFICULTY COUNTERING THE CHARGE THAT
HE HAS ACCEPTED ,DISGUISED PERPETUITY."
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2. ON SEPTEMBER 4, A GROUP OF RADICAL PANAMANIAN STUDENTS
MADE PUBLIC THE ACTUAL TEXTS OF THE THREE CONCEP
TUAL AGREE-
MENTS REACHED THUS FAR BETWEEN THE US AND PANAMANIAN

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NEGOTIATORS ON:

-- PROTECTION AND DEFENSE OF THE CANAL,
INCREASING PANAMANIAN PARTICIPATION IN THE ADMINISTRA-
TION OF THE CANAL, AND

-- JURISDICTION AND US OPERATING RIGHTS.

MUCH OF THE SUBSTANCE OF THE THREE HAD PREVIOUSLY FOUND ITS

LAY INTO THE PUBLIC DOMAIN. BUT PUBLIC REVELATION OF THE
ACTUAL TEXT OF THE AGREEMENTS CAN BE EXPECTED TO CREATE
SOME PROBLEMS FOR BOTH GOVERNMENTS. ON BALANCE, WE
BELIEVE THAT THE RELEASE OF THESE DOCUMENTS WILL BE MORE
DAMAGING POLITICALLY TO THE GOP -- AND TO TORRIJOS --
THAN TO THE USG. WE THINK WE CAN KEEP THE DAMAGE IN
BOTH COUNTRIES WITHIN MANAGEABLE BOUNDS.

3. THE TENTATIVE AGREEMENTS THAT WILL BE MOST DAMAGING TO
THE GOP -- AND TO TORRIJOS PERSONALLY -- ARE:

-- THE AGREEMENT THAT THE US WILL HAVE THE RIGHT TO ACT
UNILATERALLY TO DEFEND THE CANAL (FORTUNATELY, THE
LANGUAGE IN THE AGREEMENT ON THIS POINT IS VERY CARE-
FULLY DRAFTED, AND ITS IMPACT MAY NOT BE APPARENT TO
THE CASUAL READER);

-- PANAMA'S AGREEMENT THAT THE UNITED STATES AND PANAMA
WILL JOINTLY COMMIT THEMSELVES TO ENSURING THE CANAL'S
"PERMANENT NEUTRALITY" (THUS IMPLYING BUILT-IN PERPETUITY);

-- PANAMA'S AGREEMENT TO THE CONTINUATION OF A VARIETY OF
US ACTIVITIES LONG CHALLENGED AS ILLEGAL IN PANAMA,
INCLUDING SCHOOLING OF LATIN AMERICAN MILITARY PERSONNEL
AND JUNGLE WARFARE TRAINING;

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-- PANAMA'S AGREEMENT TO PERMIT THE US TO MAINTAIN
MILITARY BASES IN THE REPUBLIC;

-- THE EXEMPTION OF CERTAIN US INSTALLATIONS FROM PANA-
MANIAN POLICE AUTHORITY;

-- PANAMA'S AGREEMENT TO PRIMARY US RESPONSIBILITY FOR
THE CANAL'S OPERATION FOR THE TREATY'S LIFETIME; AND

-- THE GRANT TO US AGENCIES AND EMPLOYEES OF EXTENSIVE
RIGHTS AND IMMUNITIES WITH RESPECT TO THE OPERATION OF
THE CANAL.

3. THE REVELATIONS MOST DAMAGING TO THE USG ARE:

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-- OUR AGREEMENT TO ELIMINATE THE CANAL ZONE AND THE CANAL ZONE GOVERNMENT, AND TO REPLACE THE PANAMA CANAL COMPANY WITH A "NEW ADMINISTRATIVE ENTITY";

-- OUR AGREEMENT TO PHASE OUT US "JURISDICTION" IN PANAMA WITHIN THREE YEARS FROM THE ENTRY INTO FORCE OF THE TREATY, INCLUDING THE TERMINATION OF US POLICE AND COURTS (THIS HAS BEEN WIDELY RUMORED BUT NEVER CONFIRMED

BEFORE);

-- OUR AGREEMENT THAT THERE SHALL BE GROWING PARTICIPATION OF PANAMANIAN NATIONALS IN THE OPERATION OF THE CANAL;

-- OUR AGREEMENT TO THE ESTABLISHMENT OF EMPLOYMENT PREFERENCES FOR PANAMANIAN CITIZENS FOR THIS PURPOSE;

-- OUR AGREEMENT TO A PROHIBITION AGAINST THE EMPLACEMENT OF NUCLEAR WEAPONS IN PANAMA (THIS DOES NOT PROHIBIT THE TRANSIT OF WEAPONS THROUGH THE CANAL, BUT THIS IMPORTANT FEATURE MAY NOT BE IMMEDIATELY APPARENT TO THE PRESS AND CONGRESS);

-- OUR AGREEMENT TO A LAPSE OF THE EXPLICIT US DEFENSE RIGHTS AT THE TREATY'S TERMINATION "UNLESS THE TWO PARTIES AGREE OTHERWISE";
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-- TH POSSIBILITY OF A MULTILATERAL GUARANTEE OF THE CANAL'S NEUTRALITY; AND

-- OUR AGREEMENT TO PANAMANIAN PARTICIPATION IN DEFENSE AND TO THE RELEASE TO PANAMA OF NON-ESSENTIAL DEFENSE FACILITIES.

4. WE HAVE BEEN IN CLOSE TOUCH WITH AMBASSADOR JORDEN ON THE SITUATION. HE IS CONSULTING WITH GOP OFFICIALS CONCERNING THE MANNER IN WHICH THEY INTEND TO HANDLE THE MATTER.

5. AS FAR AS THE PRESS IS CONCERNED, WE WILL CONTINUE TO REFUSE TO CONFIRM ANY OF THE SUBSTANCE OF THE NEGOTIA-TIONS, OR THE AUTHENTICITY OF THE DOCUMENTS, WHICH ARE NOW SELLING ON THE STREETS OF PANAMA.

6. WE ARE STILL AT A LOSS TO KNOW PRECISELY HOW THE DOCUMENTS CAME TO LIGHT. THEY WERE RELEASED BY EXTREME NATIONALISTS AND IMMEDIATELY DENOUNCED BY THEM. HOW THEY FOUND THEIR WAY INTO THE HANDS OF ENEMIES OF TORRIJOS IS DIFFICULT TO SAY. ROBINSON UNQUOTE KISSINGER

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